

Article 15 DowntownCode

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15.1 Purpose, Intent, and Applicability

1. **Purpose and Intent.** The purpose of this Chapter is to establish unique allowed use and development standards for subject property within the downtown area of Frederick. It is the intent of these standards to help preserve and protect the existing, historic, and unique character of the downtown by requiring new construction, remodels, and existing construction to complement the existing built environment. Additionally, through the application of these standards, the downtown will continue to be the pedestrian-oriented shopping, dining, entertainment, and living center of the Frederick community.
2. **Applicability.**
 - a. **Standards and Entitlement Review.** The standards of this Article apply to all property zoned either Downtown-A (D-A) or Downtown-B (D-B) as shown on the Regulating Plan (Section 15.4). All qualifying projects within the D-A or D-B zones shall be subject to Development Review prior to issuance of building permit. Additionally, those uses that require a Business License as listed in Section 15.5 (Allowed Uses) shall obtain a Business License prior to establishment of the use. In addition to the application of the D-A and D-B Zoning District, the downtown is also governed by the Regulating Plan. The Regulating Plan addresses how development interacts with the street and how the street is developed. The application of both the Zoning District and the Regulating Plan are described in more detail in Sections 15.2.1 (Defining the DowntownCode) and 15.4 (Regulating Plan and Street Typologies and Standards). Generally, the Zoning District designation (D-A or D-B) defines the character and allowed use provisions for the subject site while the Regulating Plan defines the development standards (setbacks, building typology, street standards).
 - b. **Applicability of Regulating Plan Standards.** Generally, the development standards applicable to a property shall be those for the respective zone (either D-A or D-B) as well as the street frontage as reflected in the Regulating Plan.

15.2 Introduction to the DowntownCode

1. Defining the DowntownCode.

- a. The DowntownCode is the regulating document for development in downtown Frederick. The basis for this Code is in two unique Zoning Districts – the D-A and D-B Zones. The DowntownCode recognizes the historic character of the downtown and identifies a special set of development standards, allowed use regulations, and other special use regulations that, when applied to new construction and qualifying remodels/expansions (as identified in Section 2.1.1., Applicability), will ensure that the historic character is positively complemented.
- b. The standards in this Chapter are presented in a format that is unique to the downtown – through a Form Based Code. Form based zoning provides a method of regulating development to achieve a desired urban form. Form based provisions address the relationship between building facades and the public realm, the form and mass of buildings, and the size, character and type of streets and blocks. The central focus of form based provisions is the regulating plan that designates the appropriate form (and character) of development rather than only distinctions in land-use types, which is the basis of conventional zoning.
- c. This DowntownCode also includes regulations for the street – the space between buildings. Part of the historical context of the downtown includes how individual developments relate and interact with the street. This is because the street acts as a unifying thread across all development.
- d. **Relationship to Other Zoning Provisions.** Generally, the regulations of this Article shall govern development within the downtown – specifically within the D-A and D-B Zoning Districts. In cases where there is a conflict between the provisions of this Chapter and the regulations elsewhere in the Zoning Code, this Chapter shall prevail. However, with regard to topics that this Chapter is silent on, provisions elsewhere in the Zoning Code shall prevail.

2. Administration of the DowntownCode.

- a. **Review of Development Applications.** The Planning Commission has authority to approve Comprehensive Plan amendments. The Board of Trustees approves Variances and Waivers. The Board also approves Conditional Use Permits. Site plans are approved administratively at the staff level. The designated approval authority for each planning permit is listed under the regulations for each application in the Zoning Code:
 - (1) Site Plan – Section 4.11.1
 - (2) Conditional Use– Section 4.9.4
 - (3) Variances – Section 4.7.7.a
 - (4) Waivers – Section 4.7.8.a
- b. **Amendments to the DowntownCode.** Amendments to the DowntownCode shall be processed like any other Land Use Code amendment as described under Section 4.7.9(Land Use Code amendments).
- c. **Review Criteria.** When approving an application for a development application and/or amendment to the DowntownCode, the designated approving authority

shall, in addition to any other findings required by this Land Use Code, make the following findings:

- (1) Development Application – That the proposed development complies with the regulations of the DowntownCode, promotes the spirit of the downtown by integrating into the fabric of its public and private built environment (the downtown's DNA – what makes its unique character) and complementing the architectural quality of the downtown.
- (2) Amendment to the DowntownCode – The proposed amendments to the DowntownCode are consistent with the intent of the DowntownCode by helping to preserve and protect the existing, historic, and unique character of the downtown.

3. **How to Use the DowntownCode.** The DowntownCode regulates many aspects of development, but is structured to be as user-friendly as possible. The following outline is intended as an orientation that walks a user through the primary aspects of the Code.

- a. **Determine the District and Street Typology governing the parcel with Section 15.4.** First, refer to the Regulating Plan in this chapter (see Section 15.4.A) to determine which district the parcel is located in. The district is necessary for understanding the majority of the document; it determines applicable development standards and allowed uses. Next, use the Regulating Plan to determine which street typology applies to the parcel. Street typology standards dictate factors such as street widths, lane widths, and right of way dimensions. Most private development projects will not affect or need to consider street typology standards. These are primarily for the Town to use when it makes larger-scale infrastructure improvements such as the expansion of the downtown to vacant lands west of Colorado Boulevard.
- b. **Determine the Allowed Uses with Section 15.5.** The DowntownCode specifies which land uses are allowed, conditionally allowed, and prohibited for the two districts established for downtown. Refer to Section 15.5 (Allowed Uses) to see which uses are allowed for the parcel and to find definitions of land uses.
- c. **Determine Basic Development Standards with Section 15.6.** For any development to take place on a parcel, it must be done in conformance with the regulations provided in the DowntownCode. The primary development standards for all development are provided in Section 15.6.2 (Area-Wide Standards) and Section 15.6.3 (Development Standards). Section 15.6.2 (Area-Wide Standards) applies to all development, regardless of Zoning District. Section 15.6.3 (Development Standards) provides standards by Zoning District, including building height and placement. These regulations essentially create a "building envelope" for each parcel based on its district, determining the space on the parcel in which development can take place. Section 15.6.4 (Storefront Regulations) also provides storefront standards that provide further regulation on the dimensions of building frontage features; unlike the general development standards, these standards are only applicable to first floor commercial uses with storefront frontage, gallery, and arcade types.
- d. **Determine Form Based Requirements with Section 15.7.** The DowntownCode goes beyond the traditional zoning code; whereas traditional zoning codes simply regulate uses and dimensions, the DowntownCode actually regulates building form and style to work towards an enhanced character and

appearance in downtown. It does so by establishing allowed building styles and frontage types for each district. In addition to complying with the standards established elsewhere in Chapters 2 and 3, new development must also comply with the form based requirements in Section 15.7 (Building and Frontage Types). Refer to Section 15.7 for descriptions of allowed building and frontage types for each district.

- e. **Determine Sign and Parking Standards with Sections 15.8 and 15.9.** The DowntownCode provides regulations that govern allowed sign types and parking standards in the downtown. Section 15.8 (Signs) establishes allowed sign types for each district in downtown, design standards, and limitations for sign size and number based on the size of the building and type of sign. Section 15.9 (Parking) establishes allowed parking types and ratios by district and land use. Parking ratios are expressed as a ratio of parking spaces to total square footage of the land use.
- f. **Determine Additional Design Guidelines with Section 15.10.** To ensure that downtown Frederick develops a high-quality aesthetic environment, the DowntownCode provides additional design considerations. Whereas Section 15.7 (Building and Frontage Types) provides form based guidelines for specific structures that are allowed by district, Section 15.10 (Architectural and Design Guidelines) provides broader design considerations for all projects in downtown, regardless of the district they fall in. Unlike other standards provided in the DowntownCode, most of the design guidelines provided in Section 15.10 are *guidelines* (and not *requirements*) that provide ways to achieve attractive design. While these are only guidelines, the designated Approving Authority may still require them as conditions of project approval, so they should still be considered in all design and development. Section 15.10 provides general design guidelines for multiple aspects of design, including architectural styles, building massing, lighting, landscaping, colors and materials.
- g. **Determine Special Regulations** There are additional uses that may occur in downtown, that, due to their unique nature, are not adequately addressed elsewhere in the document. Regulations governing these unique uses are provided in Section 15.11 (Special Regulations). These unique uses include live/work spaces, public art, and storefront vacancy. Regulations are specific to these uses, and not determined by district.

15.3 Definitions

Please refer to Article 1 of the Land Use Code for Frederick General Definitions.

15.4 Regulating Plan and Street Typologies and Standards

- 1. **Establishment of the Regulating Plan and Street Hierarchy and Character.** In addition to the application of the downtown (D-A or D-B) Zoning Districts, development within the downtown is also governed by the Regulating Plan. The Regulating Plan “codes” development based upon the street it is located along. This plan is based on the following street hierarchy and character, and as illustrated on the Regulating Plan (see Figure 15.4-1 (The Regulating Plan)):

- a. **Primary Streets.** 5th Street is the historic commercial heart of downtown Frederick. It serves as a central east/west spine of the community, containing the majority of the downtown's major uses and acting as the primary downtown street. This area benefits from the presence of retail businesses, restaurants, and other community-serving businesses. Additionally, although it is not yet built-out, Colorado Boulevard/WCR 13 is also considered a Primary Street because it is the north/south spine of the community and the primary access road into Frederick coming from Highways 66, 119, 52 and ultimately Interstate-25.
- b. **Secondary Streets.** The secondary streets of downtown Frederick display a mix of local retail uses, offices, and single-family homes. They have a more intimate nature, as is reflected in the narrower sidewalks and streets, as well as street trees and landscaping.
- c. **Alleys.** Alleys bisect downtown Frederick and provide supplementary forms of access and lively forms of public space, with a confluence of residential, commercial, and office uses. They provide alternative routes between uses, but also provide supplemental service space.
- d. **Paseos.** Paseos are local and private pathways serving as alternative pedestrian and bicycle routes that do not accommodate vehicles. These paths are oriented towards the pedestrian, and provide spaces that engage users with their surroundings. Landscaping, street furniture, and pedestrian-scaled features make these engaging routes of travel while offering safe routes separated from vehicular uses.

Figure 15.4-1: The Regulating Plan



2. **Street Typologies and Standards.** The purpose of this section is to provide roadway standards that will facilitate the creation of streets that are inviting, multimodal public places for vehicular traffic, bicyclists, and pedestrians. These streetscape typologies and standards are unique to Chapter 15 and are intended to implement the vision by acting as building blocks for the distinct components and unique street types that compose downtown.
- a. **Street Typologies.** The Streetscape Typologies allowed in zones D-A and D-B are listed below:
- (1) **Primary Streets.** The primary street of downtown Frederick is 5th Street. It runs in an east-west direction through the Town and serves as the primary arterial and commercial corridor of the community. In addition, Colorado Boulevard/WCR 13 serves as the primary north-south arterial for the Town, and also functions as a main Weld County Road. As such, special design considerations and approvals will be necessary for development along the Boulevard. Characteristics of the Primary Streets include:
 - (a) Street trees should frequently interrupt the parking lanes to soften visual impact of the parked vehicles and to help cool the air heated by the pavement.
 - (b) Parallel parking and wide sidewalks should create a safe, inviting environment for both pedestrians and motorists.
 - (c) Primary intersections should provide pedestrians with safe passage. Features may include signalized crosswalks, mid-crossing pedestrian islands, and differentiated accent paving within the intersection.
 - (d) Turning movements typically occur from within the main travel lanes; however, short (one to two car-lengths) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
 - (e) Because 5th Street is the primary downtown thoroughfare and Colorado Boulevard/WCR 13 is an arterial roadway leading into the downtown, both streets provide unique opportunities for gateway monumentation, as expressed in the Vision Plan, at the entrances to the downtown area.
 - (2) **Secondary Streets.** Secondary streets in downtown Frederick are all other neighborhood streets in downtown other than 5th Street and Colorado Boulevard/WCR 13. These secondary streets are home to community-serving retail stores and historic residences. These streets have a more intimate nature than other areas. Characteristics of Secondary Streets include the following:
 - (a) Landscaping and larger street trees should frequently interrupt the parking lanes to soften the visual impact of the parked vehicles and to help cool the air heated by the pavement.
 - (b) Parallel or diagonal parking should be used for convenient store access and to slow traffic. Wide storefront sidewalks should create a walkable, pedestrian-oriented atmosphere.
 - (3) **Alleys.** Alleys are narrow public drives serving commercial and residential development. In commercial developments, alleys provide the primary service access and loading areas for businesses. Additional characteristics of Alleys include the following:
 - (a) Customer entrances may also be located off of alleys. In addition, if it does not obstruct the flow of vehicular and pedestrian traffic,

portions of the alley may be used for outdoor retail space, patios, art gardens, and related uses.

- (b) In residential development, parking should be accessed via alleys.
- (c) Alley street lighting and landscaping should be designed at a pedestrian scale with an emphasis on creating a safe and secure environment. Additionally, landscaping shall not impede automobile or pedestrian visibility within or immediately adjacent to an alley.

- (4) **Paseos.** Paseos are local and private pathways serving pedestrians and bicyclists only, and may also provide limited service access during specified periods of the day. Characteristics of Paseos include the following:

- (a) If it does not obstruct the flow of pedestrian traffic, portions of the paseo may be used for outdoor dining, retail space, patios, art gardens, and related uses.
- (b) Paseo street lighting and landscaping should be designed at a pedestrian scale. Larger canopy trees should be used where possible for shade.

- b. **Street Typology Standards.** Table 15.4-1 (Street Typology Standards) displays standards for each Street Typology.

Table 15.4-1: Street Typology Standards

| | Primary Streets | Secondary Streets | Alleys | Paseos |
|-------------------------------|---|--|---------|---|
| Throughfare Type | Avenue | Local | Alley | Pathway |
| Right-of-Way Width: | ¹ | 60'-64' | 15'-20' | 10'-20' |
| Through Traffic Lanes | 2 Lanes, Plus Turning Lanes | 2 Lanes | 1 Lane | Emergency Only |
| Parking Lanes | 11' Wide., Parallel, Two Sides ² | 9'-11' Wide, Parallel, Two Sides or 17'-19' Wide, Diagonal, One Side | N/A | N/A |
| Pedestrian and Landscape Area | 10'-15' | 6'-10' | N/A | N/A |
| Curb Radius | 25' | 25' | 25' | 25' |
| Bike Facilities | N/A | Class II, On street, Stripped (Where Adequate Width Exists) | N/A | Designated Bicycle Lane(s), (Where Adequate Width Exists) |

Notes:

1. 5th Street varies in width. Refer to the street cross sections for the appropriate road width and through traffic lane standards.

2. There is no on-street parking on Colorado Boulevard/WCR 13

- c. **Street Typology Cross Sections.** Figures 15.4-2 through 15.4-5 depict the street standards for each Street Typology.

Figure 15.4-2: 5th Street

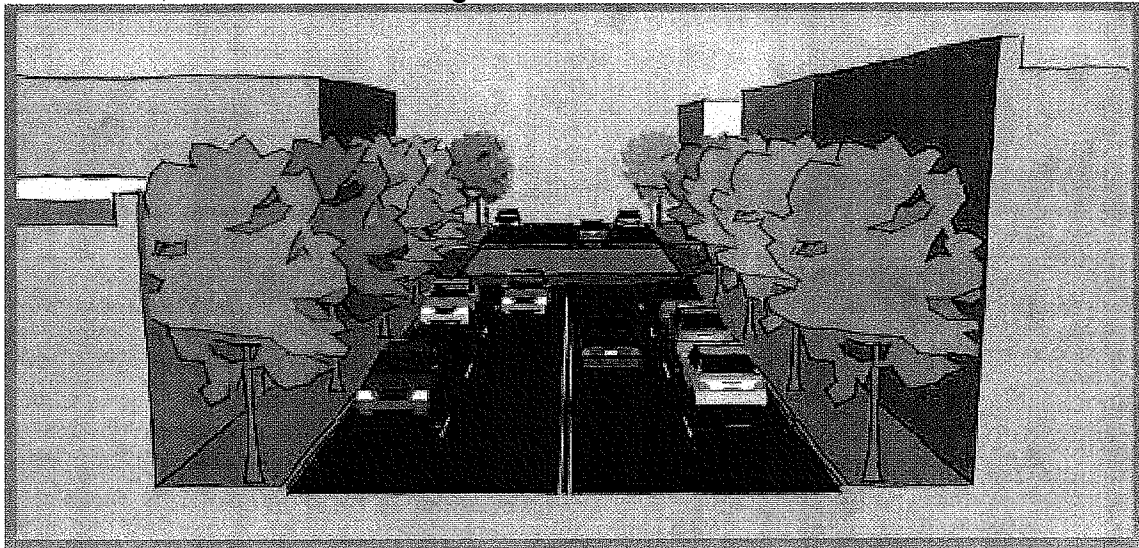


Figure 15.4-3: Secondary Street

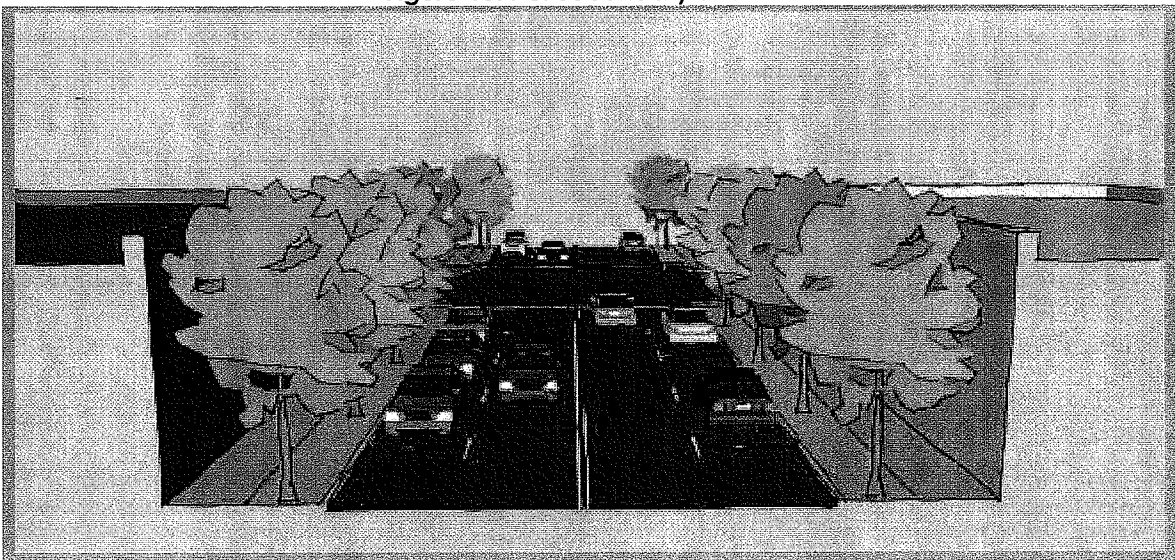


Figure 15.4-4: Secondary Street with diagonal parking (where width allows)

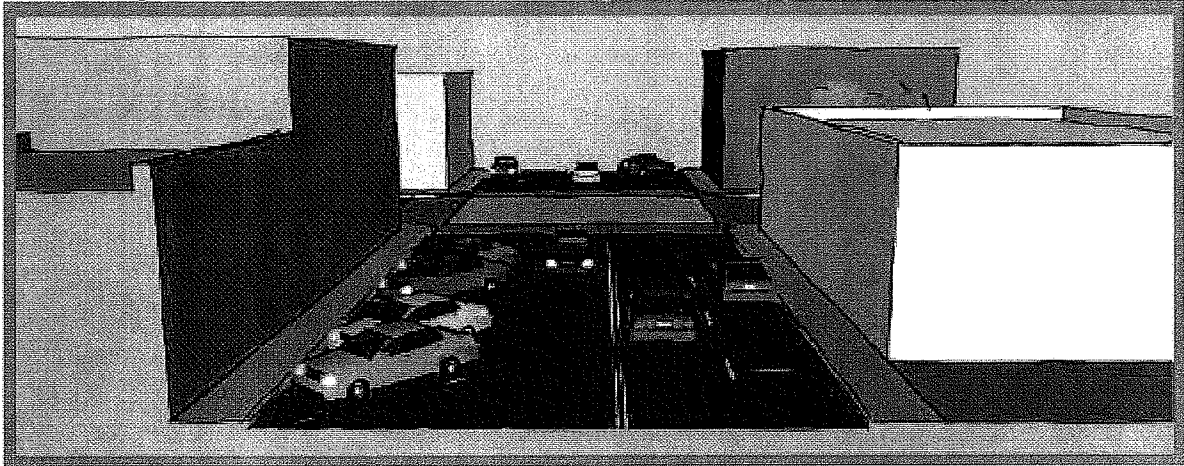
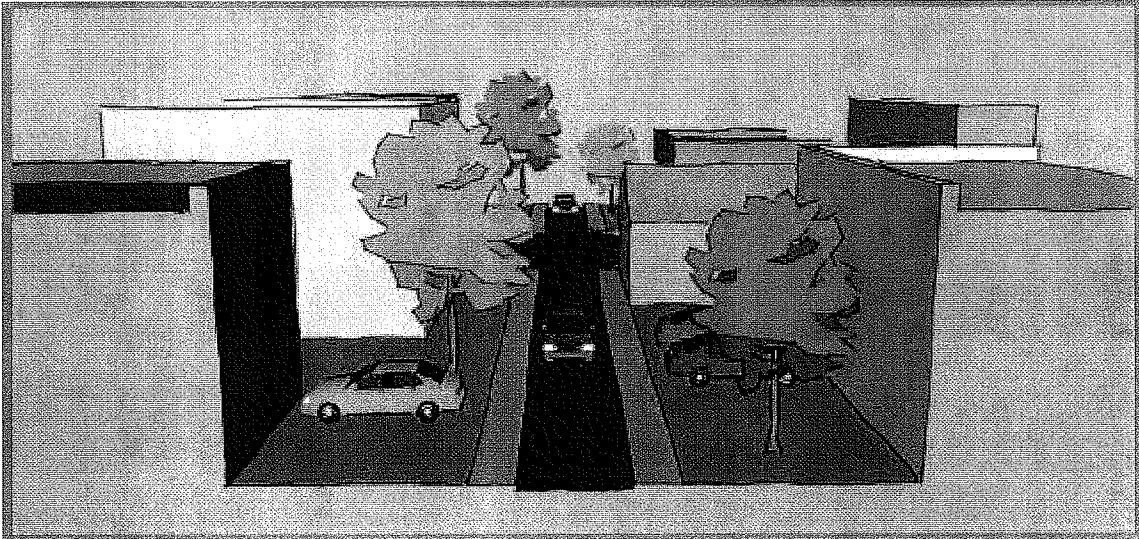


Figure 15.4-5: Alley



15.5 Allowed Uses

1. **District Descriptions.** The DowntownCode establishes two districts that will regulate development and drive design standards for downtown Frederick, the D-A and D-B district. These districts are described below.
 - a. **D-A District.** This district is the core downtown district. It offers a variety of commercial, retail, and mixed use - residential uses. This central spine offers more potential for unique, boutique storefronts, restaurants and destination shopping.
 - b. **D-B District.** This district applies to areas of the downtown not within the D-A district. While also offering a limited variety of mixed commercial, retail, and residential uses, it offers more opportunity for revitalization and infill residential development. It also offers the opportunity for adaptive reuse of existing

residential structures to offices and boutique retail users. The area is characterized by a predominance of professional offices, small restaurants and very small scale retail/service commercial uses, with complimentary mixed-use and freestanding residential units.

2. **Allowed Uses.** Table 15.5-1 (Allowed Uses) identifies the allowed uses within the downtown. These allowed use regulations are listed by Zoning District (D-A or D-B). The uses listed are defined in Section 15.3.B (Allowed Use Definitions). The symbols in the table are defined as:

P – Permitted Use (Permitted by Right)
 C – Conditionally Permitted Use (Conditional Use Permit Required)
 N – Not Permitted

Table 15.5-1: Allowed Uses

| Uses | D-A Zone | D-B Zone |
|--|----------------|----------------|
| Adult Uses, including product sales and entertainment. | N | N |
| Attached Single-Family Residential | N | P |
| Automobile Oriented Uses, including gasoline stations, car washes, repair shops, auto retailers, and auto storage. | N | N |
| Commercial Recreation and Entertainment | P ¹ | C ¹ |
| Detached Single-Family Residential | N | C ² |
| Government/Institutional | P | P |
| Home Occupation | P | P |
| Hotel/Motel | P | C |
| Live/Work Space | P | P |
| Medical Marijuana Operation | N | N |
| Mixed-Use | P | P |
| Multi-Family Residential | P | P |
| Professional Offices, Financial Services, and Clinics | P3 | P |
| Personal Services, including barber shops, beauty salons, garment repair, and appliance repair | P | P |
| Retail Commercial | P1 | P1 |
| Sit-Down Restaurants | P | P |
| Warehousing, Manufacturing, Wholesaling and Distribution | N | N |

Notes:

1. Alcohol sales permitted on premises subject to Liquor License/Permit Process.
2. Conditional approval applies only to detached single-family residences proposed following adoption of this code. Pre-existing detached single-family residences in the D-B zone shall continue to be permitted by right.
3. Not permitted on the ground floor.

15.6 Development Standards

1. **Mandatory Conformance.** Standards listed in this Section are mandatory requirements that must be satisfied for all new projects and modifications to existing development. Projects shall be reviewed for conformance with these provisions as part of Design Review. For "qualifying modifications" to existing development that only require issuance of a Building Permit and do not require Design Review approval, conformance with these standards shall be reviewed as part of Plan Check during Building Permit review. "Qualifying modifications" are all modifications to a structure such as repair, restoration, or reconstruction of a structure where such work, as determined by the Planning Director, maintains the outer dimensions and surface relationships of the existing structure (e.g., repainting, replacement of windows or doors with matching size and style, repair of exterior materials such as stucco and wood).
2. **Area-Wide Standards**
 - a. **Area-Wide Height Requirements and Exceptions.** Refer to Section 15.6.3 (Development Standards) below for district height requirements. The building height limitations shall not apply to building spires, belfries, cupolas, domes or other features not used for human occupancy, nor to chimneys, water tanks, silos, nor for public buildings or structures located more than one (1) foot horizontally from the property line for each foot of building height. Telecommunications antennas and service structures located on rooftops may also exceed the maximum building height but shall be hidden to the maximum extent possible using appropriate screening and "stealth" technologies. The Board of Trustees may approve buildings that exceed the maximum height adopted in the D-A or D-B zones through a waiver process.
 - b. **Area-Wide Maximum Allowable Residential Development.** The maximum allowable residential development in downtown Frederick is 25 dwelling units per acre.
 - c. **Area-Wide Maximum Allowable Commercial Development.** The maximum allowable commercial development in downtown Frederick is a floor area ratio of 2.5:1.
 - d. **Area-Wide Parking Standards.** In an effort to attract retail development to downtown Frederick, parking requirements have been greatly reduced. Please see Code Section 15.9 for district parking requirements.
 - e. **Development Standards.** The development standards are intended to preserve the compact, walkable, historic downtown core. They also serve to enhance social interactions while providing appropriate levels of privacy in adjacent residential areas. Used properly, they will rejuvenate the Town by creating more visual interest and architectural consistency, facilitating development that relates to the pedestrian and site user, and enhancing the character of downtown. In addition, special consideration was given to the fact that the majority of streets in downtown Frederick are currently too narrow to support sidewalks of an appropriate downtown width (approximately 8'-10'). Therefore, "build-to" maximum setbacks have been set at 10' in order to allow for future expansion of the existing narrow sidewalks. The development standards for the D-A and D-B

district are provided below in Table 15.6-1 (Development Standards) and displayed in Figure 15.6-1 (Building Placement).

Table 15.6-1: Development Standards

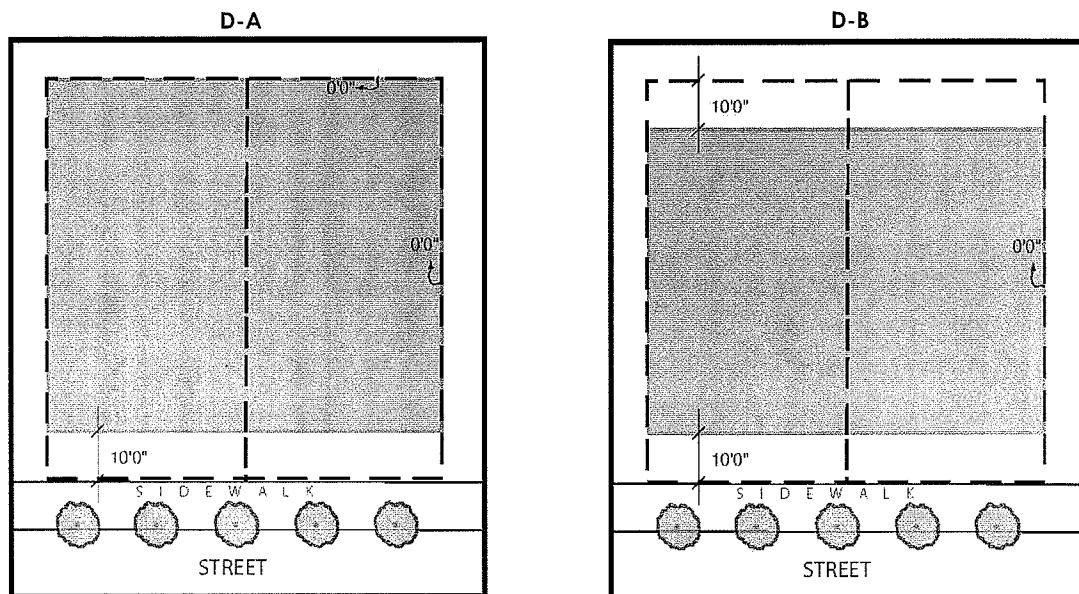
| Development Standard | | D-A Zone | D-B Zone |
|-------------------------------|--|----------|--------------------|
| Maximum Building Height | | 35'* | 35' |
| Building Placement (setbacks) | "Build-To" Front Line Maximum ¹ | 10' | 10' ^{2,3} |
| | Minimum Side Yard | 0' | 0' |
| | Minimum Rear Yard | 0' | 10' |

Notes:

* The maximum building height may be increased to 45 feet if the project demonstrates an exceptional level of improvement to the "public good and welfare" by providing for pedestrian comforts such as plaza's, weather protection, seating, water features and the like.

1. "Build-To" lines are defined as the edge where the front building façade is placed on the property relative to the edge of the right-of-way (sidewalk in most cases)
2. Through Design Review, larger sites may provide additional buildings with larger setbacks from the public right-of-way then otherwise permitted by the "Build-To" Line standard, provided that a minimum of 30 percent of the total site frontage is developed with one or more buildings that are developed consistent with this provision.
3. Residential buildings may be constructed with a "Build-To" Line between 10' and 20' provided all residential buildings are sited in a manner consistent with the setbacks of adjacent properties. The appropriate setback shall be determined through Design Review to achieve a balance between the existing character of neighborhoods and the desired level of change. Residential uses include Attached Single-Family, Detached Single-Family, and Multi-Family Residential uses. For all other uses, the 10' "Build-To" Front Line maximum applies. For single family homes, which are exempt from Design Review, the "Build-To" Line determination shall be made as part of Plan Review.

Figure 15.6-1: Building Placement



3. **Storefront Regulations.** The following storefront standards are intended to provide continuity of building form at street level in downtown Frederick. Additionally, standards are meant to enhance the relationship between buildings and the sidewalk, subsequently encouraging more pedestrian activity.

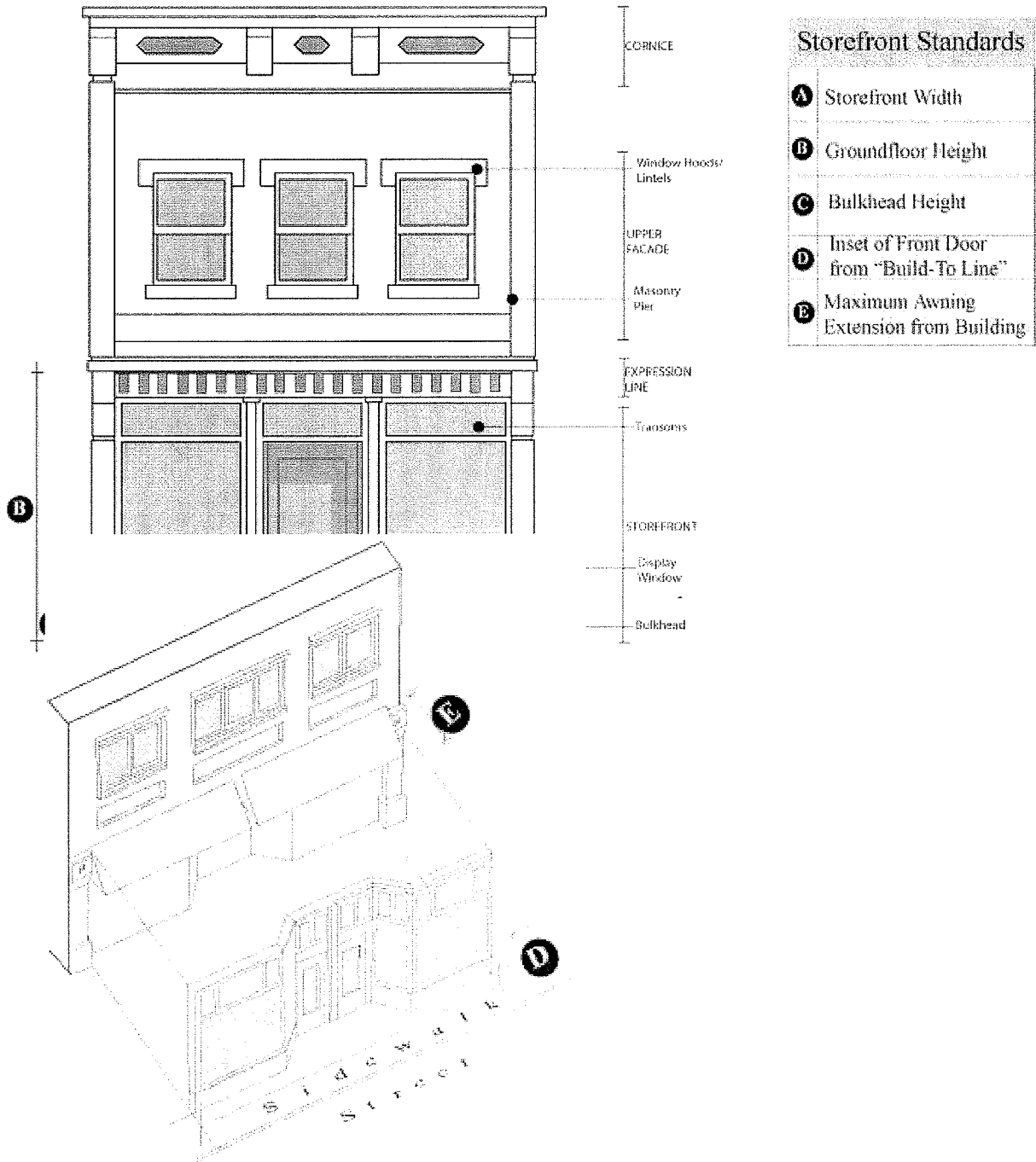
- a. **Applicability.** Storefront design standards are only applicable to commercial uses with the gallery, arcade, and storefront frontage types. Descriptions of these frontage types can be found in Section 15.7.5 (Frontage Type Descriptions).
- b. **Standards.** Table 15.6-2 (Storefront Design Standards) lists the storefront design standards. "Tags" refer to those elements labeled in Figure 15.6-2 (Storefront Design Standards) and described below in Section 15.6.3.c (Storefront Design Standard Definitions).

Table 15.6-2: Storefront Design Standards

| Storefront Standards | D-A | D-B |
|---|---------|---------|
| Storefront Width <i>See tag "a" in Figure 15.6-2</i> | 15'-45' | 15'-60' |
| Ground Floor Height <i>See tag "b" in Figure 15.6-2</i> | 10'-20' | 10'-20' |
| Bulkhead Height <i>See tag "c" in Figure 15.6-2</i> | 1'-3' | 0'-4' |
| Inset of Front Door (Alcove) from "Build-To" Line <i>See tag "d" in Figure 15.6-2</i> | 2'-4' | 3'-4' |
| Maximum Awning Extension from Building <i>See tag "e" in Figure 15.6-2</i> | 6' | 6' |

- c. **Storefront Design Standards Definitions.** Please refer to Article 1 of the Land Use Code.

Figure 15.6-2: Storefront Design Standards



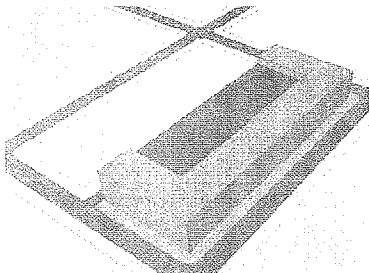
15.7 Building and Frontage Types

1. **Overview.** This Section provides general development standards for maintaining and enhancing the character of downtown Frederick, including building height, setbacks, and storefront standards. This section further guides development in downtown Frederick through a form based approach by providing building and frontage typologies for all development in downtown Frederick. All new development must comply with these form based types. Section 15.6 (Development Standards) provides the detailed schematics and dimensions for development standards of downtown Frederick, while Section 15.7 establishes “building block” typologies that best display the desired building character for downtown Frederick. Building types refer to the building massing, layout, and use. Frontage types refer to the architectural style of the front façade of a building (the part of the building that faces the street). Together, these two typologies shape building character and the building's relation to semi-public spaces, areas accessible to the general public but designed for use by residents.
2. **Allowed Building Types.** The following building types are intended to provide a variety of flexible building styles appropriate for the small town character of Frederick that can be used to guide future development. These provisions work in coordination with the underlying district and other development standards. Allowed building types in the different districts are listed in Table 15.7-1 (Allowed Building Types) and defined below. Building types are organized by intensity from most (Half-Block Liner) to least (Front Yard Housing) intense. An “X” means that the building type is allowed; a blank cell means that the building type is not allowed.

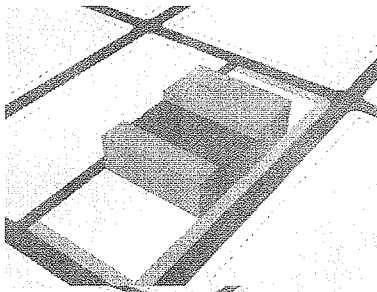
Table 15.7-1: Allowed Building Types

| | D-A Zone | D-B Zone |
|-------------------------------|----------|----------|
| Half-Block Liner | X | X |
| Infill | X | X |
| Terraced | X | X |
| Multi-Family Faux House | | X |
| Duplex, Triplex, and Fourplex | | X |
| Side Yard Housing | | X |
| Side Yard House | | X |
| Courtyard Housing | | X |
| Front Yard Housing | | X |

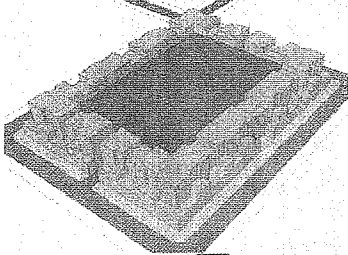
3. Building Type Descriptions.



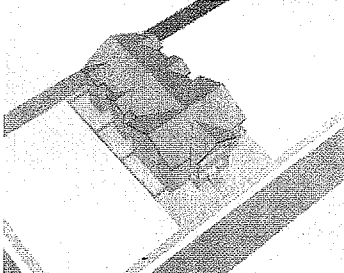
Half-Block Liner. An attached building with a frontage of approximately one-third to one-half the length of a downtown block, and zero side yard setbacks. It is used for mixed-use, residential, and commercial development land uses.



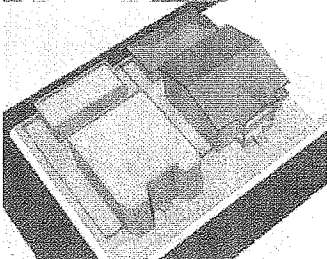
Infill. An attached building with a frontage that is less than one-third the length of a downtown block, and zero side yard setbacks. It is used for mixed-use, residential, and commercial development.



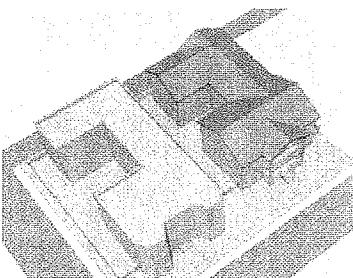
Terraced. A mixed-use, residential, or commercial building characterized by individual units that are accessed via multi-leveled outdoor terraces. The terraces are intended to be semi-public spaces that are extensions of the public realm.



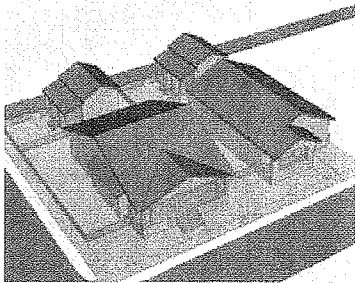
Multi-Family Faux House. A multi-family faux house building type is a detached building that has a street appearance of a large house which contains more than four dwellings. Each dwelling is individually accessed from a central lobby, which in turn is accessed directly from the street.



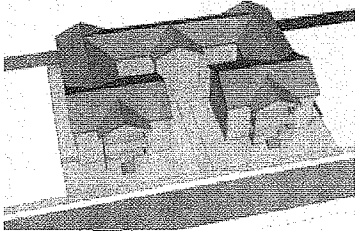
Du/Tri/Fourplex. A du/tri/fourplex is a building type that contains two, three, or four dwelling units. Each unit is individually accessed directly from the street.



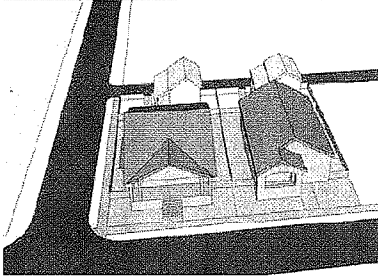
Side Yard Housing. A building or group of buildings containing dwelling units arranged on a lot in a row with the first unit facing the street. The primary entrance to each unit is from the side yard or, in the case of units facing the street, the front yard.



Side Yard House. A detached building designed as a single dwelling unit. A Side Yard House is flanked by a side yard accessed via a walkway to the yard area.



Courtyard Housing. A group of dwelling units arranged to share one or more common courtyards upon a qualifying lot in any zone. Dwellings take access from the street or the courtyard(s). Dwelling configuration occurs as townhouses, apartments, or apartments located over or under townhouses. The Courtyard is intended to be a semi-public space that is an extension of the public realm.



Front Yard Housing. A detached building designed as a single-family residence, duplex, triplex, or fourplex. Front Yard Housing is accessed from the sidewalk adjacent to the street build-to line.

4. **Allowed Frontage Types.** Frontage type refers to the architectural composition of the front façade of a building; particularly, the frontage type concerns how the building relates to surrounding semi-public spaces, areas accessible to the general public but designed for use by residents. The downtown Frederick frontage types are intended to enhance social interactions in the historic downtown retail core while simultaneously providing appropriate levels of privacy in residential areas. Allowed frontage types in the different districts are listed in Table 15.7-2 (Allowed Frontage Types) and defined below. Frontage types are organized by intensity, from most (Arcade) to least (Neighborhood Yard) intense. An "X" means that the frontage type is allowed; a blank cell means that the frontage type is not allowed.

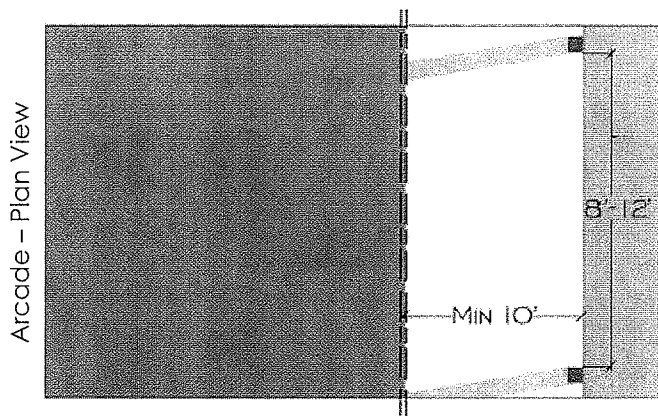
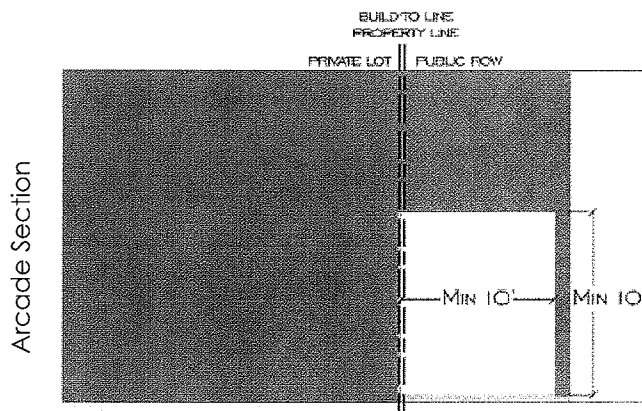
Table 15.7-2: Allowed Frontage Types

| Allowed Frontage Types | D-A Zone | D-B Zone |
|------------------------|----------------|----------|
| Arcade | X ¹ | X |
| Gallery | X | X |
| Storefront | X | X |
| Neighborhood Yard | | X |

Notes:

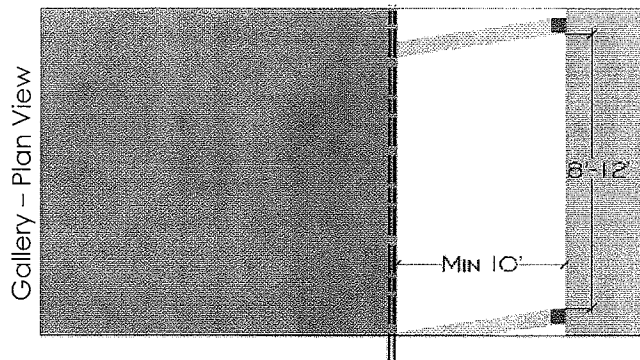
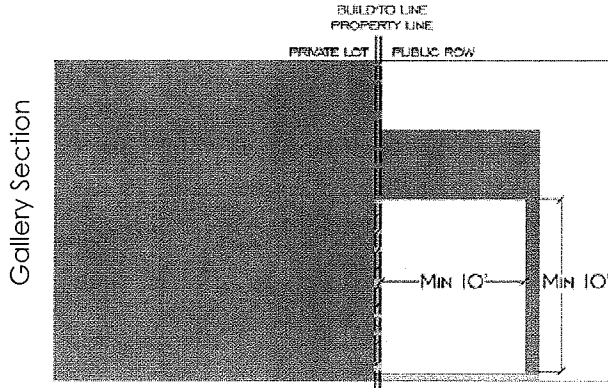
1. Arcade Frontage type only allowed on 5th Street if the sidewalk is a minimum of 10' wide.

5. Frontage Type Descriptions



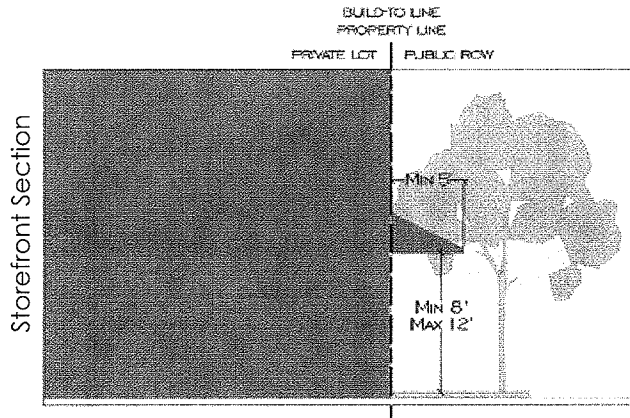
Arcade. An Arcade frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at the sidewalk grade, and with an attached colonnade that projects over the public sidewalk and encroaches into the public right-of-way. The upper stories of the building may also project over the public sidewalk and encroach into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. This frontage is typically appropriate for retail use. In the case of 5th Street the current sidewalk width is insufficient to accommodate this type of development encroaching upon the sidewalk, therefore this frontage would need to be accommodated on private property.

| Arcade Frontage Dimensions | |
|---|-----------|
| Characteristic | Feet |
| Depth (minimum, from build-to line to inside column face) | 10 |
| Height (minimum clear) | 10 |
| Percentage of Building Front | 75 – 100% |

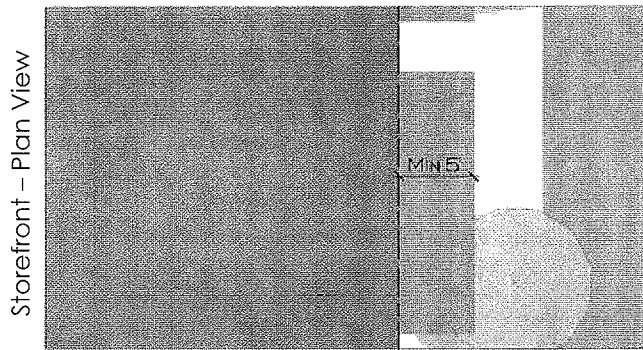


Gallery. A Gallery frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at the sidewalk grade, and with an attached colonnade that projects over the public sidewalk and encroaches into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. The colonnade may project over the public sidewalk, provided that the upper stories of the building do not also project over the public sidewalk. This frontage is typically appropriate for retail use. In the case of 5th Street the current sidewalk width is insufficient to accommodate this type of development encroaching upon the sidewalk; therefore this frontage would need to be accommodated on private property.

| Gallery Frontage Dimensions | |
|---|-----------|
| Characteristic | Feet |
| Depth (minimum, from build-to line to inside column face) | 10 |
| Height (minimum clear) | 10 |
| Percentage of Building Front | 75 – 100% |

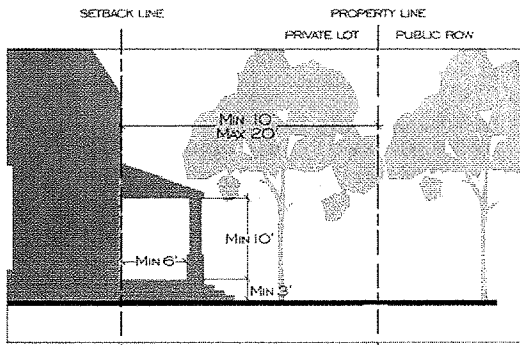


Storefront. A Storefront frontage is characterized by a façade which is aligned very close to the public right-of-way line with the building entrance at sidewalk grade. Storefront frontages have substantial glazing on the ground floor, and provide awnings or canopies cantilevered over the sidewalk. Building entrances may either provide a canopy or awning, or alternatively, may be recessed behind the front building façade.

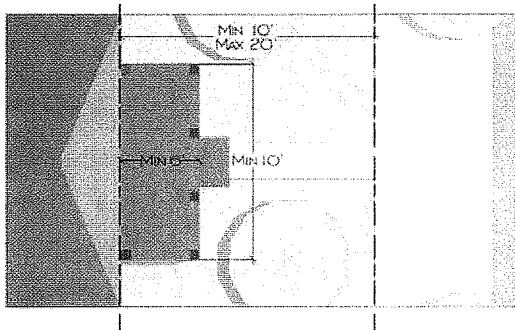


| Storefront Frontage Dimensions | |
|---|---------------------------------------|
| Characteristic | Measurement |
| Awning Depth (minimum projection, over the sidewalk) | 5 feet |
| Height (from ground level to the bottom of the awning) | 8 foot minimum, 12 foot maximum clear |
| Percentage of Building Front | 50% minimum |

Neighborhood Yard Section



Neighborhood Yard – Plan View



Neighborhood Yard. A Neighborhood Yard frontage is characterized by deep front yard setbacks. The building façade is set back substantially from the front property line. The resulting front yard can be either fenced or unfenced. This frontage type is appropriate for residential uses.

| Neighborhood Yard Frontage Dimensions | |
|---------------------------------------|--------------------------------------|
| Setback | Feet (from setback to property line) |
| Minimum | 10 |
| Maximum | 20 |

15.8 Signs

The following sign standards are intended to encourage creative sign design as an integral part of a building's architecture, rather than treating signs as an add-on or afterthought. Additionally, stimulating retail and wayfinding signage in downtown Frederick will increase economic activity and town legibility. While this section addresses permanent signage within the downtown, additional provisions for temporary signs, prohibited signs, and other general provisions may be found in Land Use Code Article 7 (Signs). Where this Section is silent on signage standards, Article 7 shall prevail. Where the standards of this Section and Article 7 conflict, this section shall prevail.

6. **Allowed Sign Types.** Allowed types of signs that are permitted by right are listed in Table 15.8-1 (Allowable Sign Types) by district. An "A" means that the sign type is allowed; a "P" means that the sign type is preferred and highly encouraged. An "N" means that the sign type is not allowed. Sign types are defined in Section 1.5 and also depicted in Figure 15.8-1 (Sign Types).

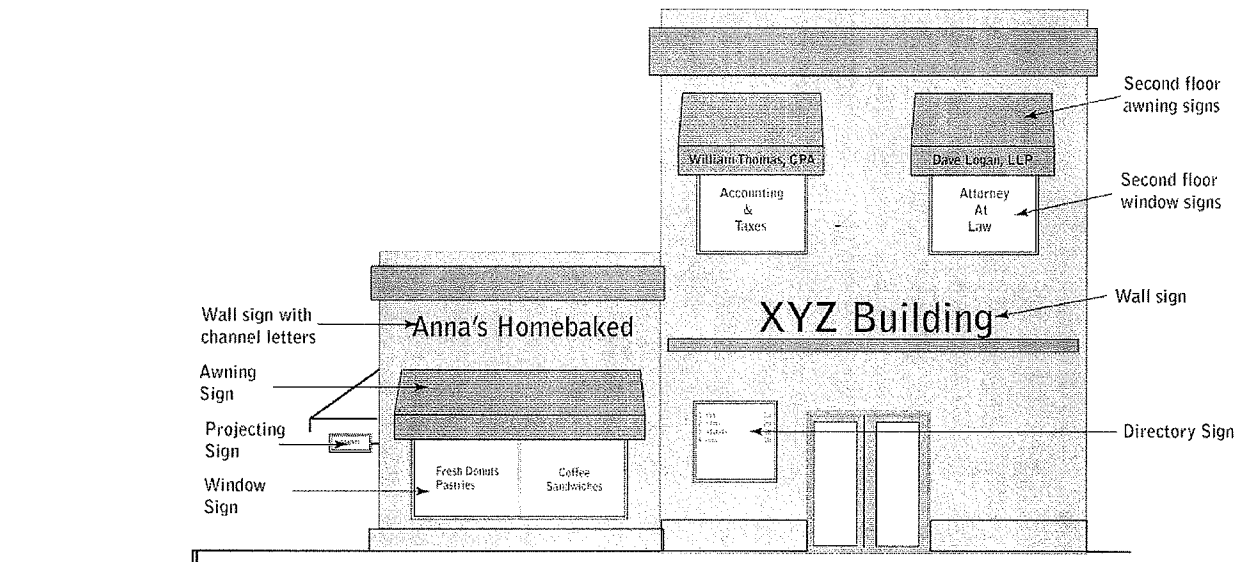
Table 15.8-1: Allowable Sign Types

| Allowed Sign Types | D-A | D-B |
|-------------------------|----------------|-----|
| A-Frame Sidewalk Sign | A ¹ | N |
| Awning Sign | A | A |
| Projecting Sign | P | P |
| Directory Sign | A | A |
| Electronic Message Sign | A ² | N |
| Temporary Signs | A | A |
| Wall Sign | P | A |
| Window Sign | P | P |

Notes:

1. A-frame signs are permitted provided that they do not interfere with activity in the pedestrian right-of-way and are only displayed during business hours.
2. Electronic message signs are only permitted when located on Town or other public property.

Figure 15.8-1: Sign Types

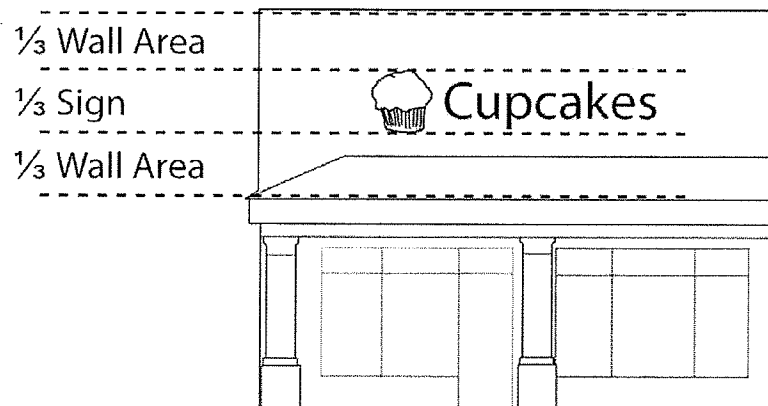


2. **Sign Size and Number.** When a sign type is allowed for a district as established in Table 15.8-1 (Allowable Sign Types), the maximum allowed number and size for signs in downtown shall be as follows:
 - a. **Wall Sign.** One wall sign per building frontage. Maximum wall sign area is determined as follows, not to exceed one-hundred (100) square feet:
 - (1) One square foot of area for each lineal foot of property frontage, or portion thereof, shall be permitted on each side of the building fronting on a street, parking lot, or paseo. No more than two total wall signs are permitted per establishment.
 - (2) Window signs and Awning signs shall be subject to the same area rules as wall signs and shall count towards the overall total area allowed.
 - b. **Projecting Signs.** One projecting sign per building, in lieu of a wall sign, not to exceed 0.4 square feet for every linear foot of main entrance facade frontage,

not to exceed a maximum of 20 square feet. A blade/bracket sign shall be at least eight feet above grade directly below the sign.

- c. **Directory Sign.** One directory wall sign for each primary building entry to identify occupants in a multistory building. The sign may not exceed five square feet in area.
 - d. **A-Frame Signs.** One freestanding A-frame sign not exceed two feet wide by four feet in height per establishment. The location of the A-Frame sign shall be such that a minimum of four feet of clear pedestrian path is provided.
3. **Sign Design.** Design, color, materials, size, and placement are all important in creating signs that are architecturally attractive and integrated into the overall site design. Signs that are compatible with the surroundings and effectively communicate a message will promote a quality visual environment. The standards that follow address these issues and others, and are intended to help business owners provide quality signs that add to and support the character of downtown Frederick.
- a. **General Design Standard Requirements.**
 - (1) Design signs in harmony with the style and character of the development and as an integral design component of the building architecture, building materials, landscaping, and overall site development.
 - (2) Sign letters and materials should be professionally designed and fabricated.
 - (3) Exposed conduit and tubing (raceway) is prohibited. All transformers and other equipment shall be concealed.
 - (4) All signs shall be maintained in good repair, including the display surface, which shall be kept neatly painted or posted.
 - (5) The exposed back of all signs visible to the public shall be suitably finished and maintained.
 - (6) The use of retractable awnings as a signage tool is acceptable.
 - b. **Placement.**
 - (1) Signs should be generally free of obstructions when viewed from different angles. However, trees or other landscaping that grow to a point that they obstruct the view of a sign or make it illegible shall not be grounds for removal or trimming of the trees/landscaping.
 - (2) Utilize a consistent proportion of signage to building scale, such as 1/3 text to 2/3 wall area or 1/4 text to 3/4 wall area. See Figure 15.8-2 (Text Scale), which displays a ratio of 1/3 signage to 2/3 wall area.

Figure 15.8-2: Text Scale



c. **Materials.**

- (1) Materials should be consistent with the building. See Figure 15.8-3 (Sign Materials).
- (2) Paper and cloth signs are appropriate for interior temporary use only and are not permitted on the exterior of a building, except as awning signs.
- (3) The use of neon is permitted in the D-A zone if it fits with the style of the architecture and is not a nuisance (e.g., produces glare) to the surrounding properties.

Figure 15.8-3: Sign Materials

Sign Tips: Colors and Materials

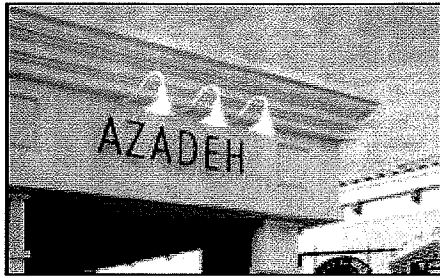
- Use exterior materials, finishes, and colors in harmony with, or an upgrade to, those of the buildings or structures on site.
- The selected materials need to contribute to the legibility of the sign. For example, glossy finishes are often difficult to read because of glare and reflections.
- Contrast is an important influence on the legibility of signs. Light letters on a dark background or dark letters on a light background are most legible.
- Limit the total number of colors used in any one sign. Small accents of several colors may make a sign unique and attractive, but the competition between large areas of many different colors decreases readability.



Exterior materials, finishes, and colors should be the same or similar to those of the building or structures on site.

- d. **Sign Legibility.** Avoid spacing letters and words too close together. Crowding of letters, words, or lines will make any sign more difficult to read. Conversely, over-spacing these elements causes the viewer to read each item individually, again obscuring the message. As a general rule, letters should not occupy more than 75% of the sign panel area. See Figure 15.8-4 (Sign Legibility).

Figure 15.8-4: Sign Legibility



A brief message with simple lettering is easy to read and identify.

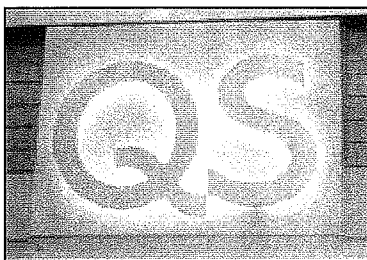
Sign Tips: Legibility

- Use a brief message whenever possible. Fewer words help produce a more effective sign. A sign with a brief, succinct message is easier to read and looks more attractive.
- Limit the number of lettering styles in order to increase legibility. A general rule to follow is to limit the number of different letter types to no more than two for small signs and three for large signs.
- Use symbols and logos in the place of words whenever appropriate. Pictographic images will usually register more quickly in the viewer's mind than a written message.
- Avoid hard-to-read, overly intricate typefaces and symbols. Typefaces and symbols that are hard to read reduce the sign's ability to communicate.

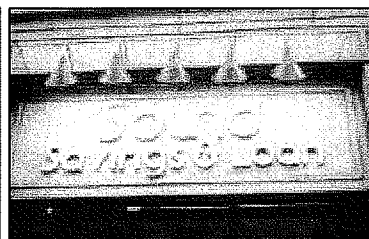
e. **Sign Illumination.**

- (1) The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative effects on residential properties. See Figure 15.8-5 (Sign Illumination).
- (2) Whenever indirect lighting fixtures are used (fluorescent or incandescent), care shall be taken to properly shield the light source to prevent glare from spilling over into residential areas and any public right-of-way.
- (3) Internally illuminated plastic box "canned" signs are prohibited in downtown Frederick. Reverse channel letters are acceptable.
- (4) Signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color;
- (5) Light sources shall utilize energy efficient fixtures to the greatest extent possible.

Figure 15.8-5: Sign Illumination



Light source must be directed against the sign such that it does not shine into adjacent property or cause glare for motorists and pedestrians.



Sign Tips: Illumination

- If the sign can be illuminated by an indirect source of light, this is usually the best arrangement because the sign will appear to be better integrated with the building's architecture. Light fixtures attached to the front of the structure cast light on the sign and the face of the structure as well.
- Individually illuminated letters should be backlit. Signs comprised of individual letters mounted directly on a structure can often use a distinctive element of the structure's facade as a backdrop, thereby providing a better integration of the sign with the structure.

15.9 Parking

Parking requirements have been designed to encourage pedestrian activity and economic growth in downtown Frederick. In the design of parking facilities, consideration should be given to locating parking in the back or sides of buildings in order to maintain a continuous retail façade for pedestrians along downtown streets.

1. **Allowable Parking Types.** Allowable parking types are listed in Table 15.9-1 (Parking Types and Ratios) and defined below. An "A" means that the parking type is allowed; a "P" means that the parking type is preferred and highly encouraged. A "N" means that the parking type is not allowed. Parking types are also depicted in Figure 15.9-1 (Parking Types).

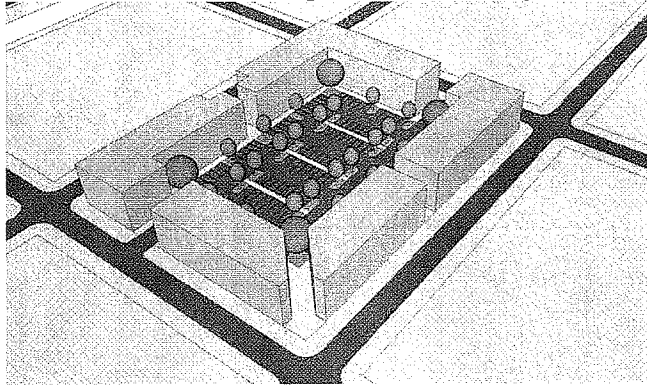
Table 15.9-1: Parking Types and Ratios

| Allowed Parking Types | D-A Zone | D-B Zone |
|------------------------------------|--------------------------|--------------------------|
| Surface Parking – Behind Building | P | P |
| Surface Parking – Next to Building | A | P |
| Parking Structure | N | A |
| Alley Access | A | A |
| Vehicle Parking Ratios | D-A Zone | D-B Zone |
| Commercial Uses | 1 sp/400 sf ¹ | 1 sp/400 sf ¹ |
| Office Uses | 1 sp/500 sf ¹ | 1 sp/500 sf ¹ |
| Residential Uses | 1.5 sp/unit | 1.75 sp/unit |
| Bicycle Parking Ratios | D-A Zone | D-B Zone |
| Commercial/Office Uses | 0.3 sp/1,000 sf | 0.3 sp/1,000 sf |
| Residential Uses | 1 sp/unit | 1 sp/unit |

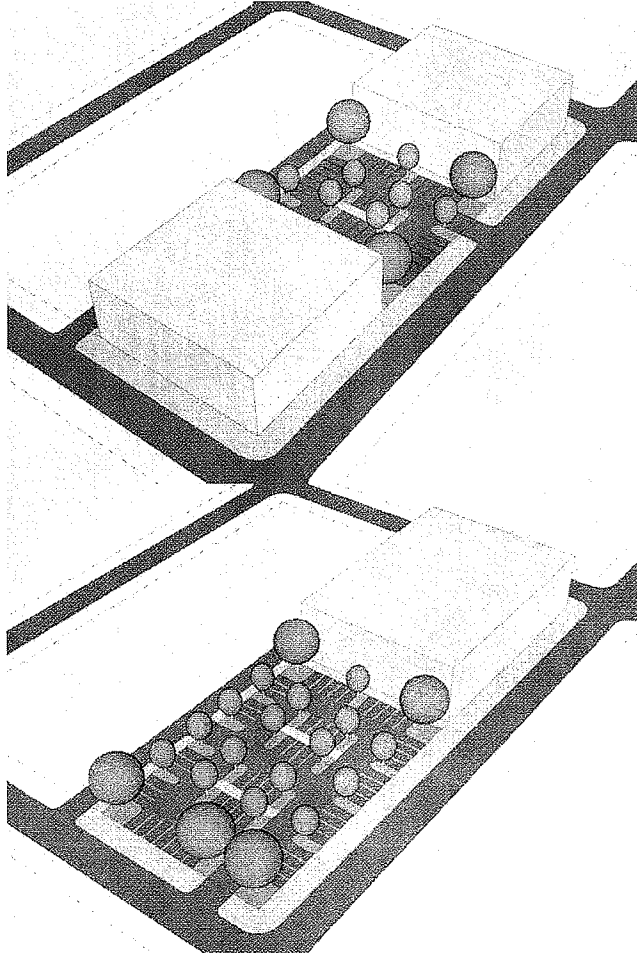
Notes:

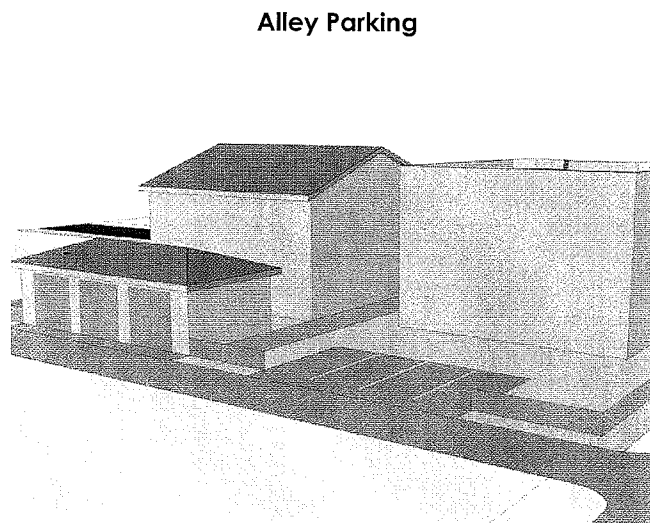
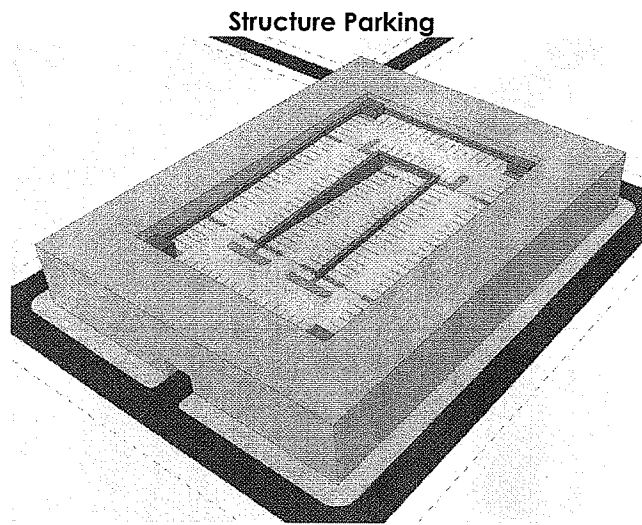
1. Exceptions to parking requirements are provided by land use in the Design Review Process. Refer to section C (Parking Exemptions) below.

Figure 15.9-1: Parking Types
Surface Parking – Behind Building



Surface Parking – Next to Building





2. Parking Standards.

- a. Downtown Frederick should encourage "one-stop" parking where shoppers park once and visit multiple stores on foot. In addition, reduced parking requirements and shared parking lots will help create a pedestrian-oriented downtown environment.
- b. Locating parking lots between the front property line and the building store front is expressly prohibited. Instead, parking should be located to the rear of buildings.
- c. When off-street parking in the rear is not possible, the visual impact of headlight spill and visual impact of the asphalt parking surface shall be minimized by landscaping. Fences and/or walls may be used in conjunction with landscaping and are limited to a maximum height of three feet.

- d. Rear parking lots should be designed and located contiguously, or adjacent to alleys, so that vehicles can travel from one private parking lot to the other either directly or via an alley without having to enter a street. This may be achieved with reciprocal shared access agreements.
 - e. Locate rear parking lots or structure entries on side streets or alleys in order to minimize pedestrian/vehicular conflicts.
 - f. Create wide, well-lit, landscaped pedestrian walkways connecting onsite pedestrian circulation systems in parking lots to offsite public sidewalks and building entries.
 - g. In order to minimize conflicting vehicle turning movement along major roadways, the Town encourages shared access drives within and between integrated non-residential developments. This reduces the number of driveway curb cuts. The Town also encourages reciprocal access between non-residential developments to provide for convenience, safety, and efficient circulation. If incorporated, a reciprocal access agreement shall be recorded with the land by the owners of abutting properties to ensure that there will be continued availability of the shared access.
 - h. The layout of parking areas should be designed so that pedestrians walk parallel to moving cars.
 - i. Parking areas that accommodate a significant number of vehicles should be divided into a-series of connected smaller lots. Landscaping and offsetting portions of the lot are effective in reducing the visual impact of larger parking areas.
 - j. Demarcation of parking spaces should be legible, and the spaces should be adequately sized.
3. **Parking Exemptions.** In an effort to encourage desired commercial activity in downtown Frederick, the Board of Trustees has the discretion to eliminate, in all or in part, parking requirements for the following uses in either the D-A or D-B district. This is based on the assumptions that 1) many businesses are discouraged from opening in downtown because of the burden of providing parking on small, built-out lots, and 2) the Town is working to supplement existing parking supplies with Town-owned parking lots. The following land uses are eligible for parking exemptions, subject to approval of the Board of Trustees and the findings that 1) the parking exemption would not negatively impact the parking supply in downtown and that 2) the exemption would facilitate commercial activity:
- a. Commercial Recreation and Entertainment
 - b. Mixed-Use
 - c. Retail Commercial
 - d. Sit-Down Restaurants

15.10 Architectural and Design Standards

1. **Purpose and Intent.** The purpose of these Architectural and Design Standards is to guide preservation, improvements, renovations, and future development in downtown Frederick. These provisions describe and illustrate architectural and design standards that are appropriate for downtown Frederick. They establish the criteria used by the Town in reviewing proposed development, and are intended to encourage high quality design and development, creativity, and innovation in downtown Frederick.

Please note that the mandatory development standards contain the words "shall", "must", or "will". Standards that contain the word "should" mean that an action is required unless a determination is made that the intent of the standard is satisfied by other means.

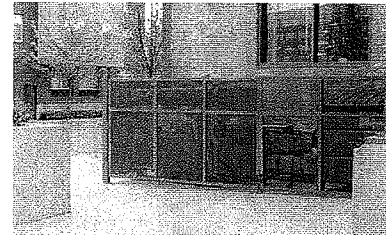
2. **Site Design.** Siting involves a project's relationship to the property, the street, and adjacent buildings. In the downtown area, buildings should be sited in ways that provide a comfortable and safe environment for pedestrians while accommodating vehicles.

- a. **Building Siting.**

- (1) Most of the building "streetwall" should meet the front setback lines, except for special entry features, architectural articulation, and supplemental sidewalk areas or other public spaces.
 - (2) Residential buildings should be oriented towards the street for safety considerations as well as to encourage social interaction among neighbors.

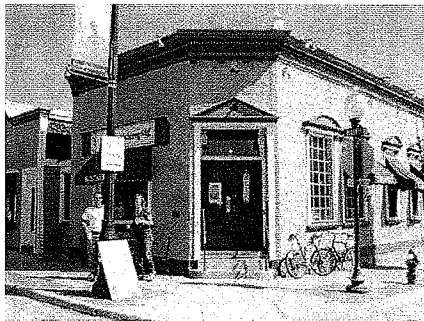
- b. **Compatibility with Adjacent Uses.**

- (1) Commercial uses shall reduce potential nuisances to adjoining residential property by locating trash enclosures, loading areas, and restaurant vents away from residential uses and by proper screening of utilities and equipment.
 - (2) Commercial uses developed as part of a mixed-use project (with residential units) should not be noise intensive.



- c. **Refuse, Storage, and Equipment Areas.**

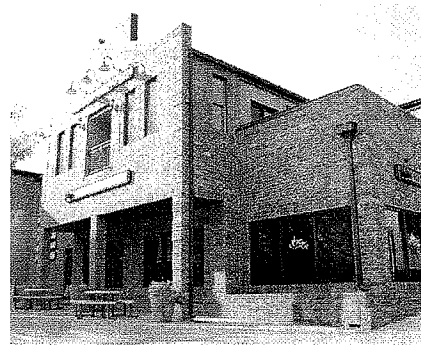
- (1) Trash storage must be fully enclosed and incorporated within the main structures or separate freestanding enclosures. Trash storage cannot be placed under stairways.
 - (2) All trash and garbage bins should be stored in an approved enclosure. Refuse containers and service facilities should be screened from view by solid masonry walls with wood or metal doors. Chain link fencing with slating is not permitted. Use landscaping (shrubs and vines) to screen walls and help deter graffiti.
 - (3) Trash enclosures should allow convenient access for commercial tenants. Siting service areas in a consolidated and controlled environment is encouraged.
 - (4) Trash enclosures shall be located away from residential uses to minimize nuisance for the adjacent property owners. The enclosure doors should not interfere with landscaping, pedestrian, or vehicle path of travel.
 - (5) Trash enclosures shall be architecturally compatible with the project.

- (6) Refuse storage areas that are visible from an upper story of adjacent structures should provide an opaque or semi-opaque horizontal cover/screen to reduce unsightly views. The screening should be compatible with the design of adjacent development and shall be approved by the Frederick-Firestone Fire Protection District.
 - (7) Every public, quasi-public, commercial, or mixed-use development containing two or more units or businesses shall provide at least one publicly accessible on-site trash receptacle.
3. **Architectural Standards.** The purpose of the Architectural Standards section is to guide improvements, renovations, and future development in downtown Frederick to be consistent with the vision and goals for the area as detailed in this Zoning Code and the Town's Comprehensive Plan, in addition to the vision established in the Downtown Vision Plan. These guidelines describe and illustrate building and landscape designs that are appropriate for downtown Frederick. They establish the criteria used by the Town in reviewing proposed development and are intended to encourage high quality design and development, creativity, and innovation.
 - a. **General Design Standards.**
 - (1) Awnings and overhangs should be used in conjunction with landscaping to provide weather protection for pedestrians.
 - (2) Any structural upgrading should be conducted in the interior of the building, if possible, unless the structural elements blend into the architecture of the exposed façade. Structural upgrades should not block or alter the original design of storefront windows.
 - b. **Building Height, Form, and Mass.**
 - (1) Create a comfortable and human scale of structures. Incorporate elements into the design of large structures which provide a transition to the human scale, particularly at the ground. Such elements may be provided through, but not limited to, covered walkways, building arcades, and trellises.
 - (2) Corner buildings should have a strong tie to the front setback lines of each street. Angled building corners or open plazas are encouraged at corner locations.
 - (3) On sites with multiple structures, buildings should be linked visually and physically. These links can be accomplished through architecture and site planning, such as trellises, colonnades or other open structures combined with landscape and walkway systems.
 - (4) As a general rule, the scale of building(s) on a site edge should be compatible with the scale of adjoining development. Where surrounding development is of a small scale, large-scale buildings should be located internal to the site and transition down in scale as the outer edge of the site approaches.

- (5) Backs of buildings shall not be placed along a street frontage. Include entrances or public views into the site or building. If the rear of the building must be located along a street because of site constraints, then architectural detailing shall be included that provides the illusion of being a front to the building.
- (6) Building mass should be parallel or on axis with adjacent street(s) (e.g., building walls should be aligned with adjacent streets, and not angled differently than adjacent streets).

- c. **Architectural Style.** New development should enhance the existing character of downtown Frederick by complimenting the historic architectural themes in the community. Examples of appropriate styles for commercial architecture include Italianate, Richardsonian Romanesque, Colonial Revival, and Classical Revival. Additionally, typical residential styles include Tudor, Victorian, Craftsman, and Four Square. However, the general theme of the appropriate architecture of Frederick includes, but is not limited to, the following general architectural features:

- (1) Elements that overhang the pedestrian walkway, including arcades, galleries, porticos, balconies, awnings, and canopies;
- (2) Exterior cladding materials such as brick, wood siding, or stone;
- (3) Recessed entry alcoves and windows;
- (4) Trim around doors and windows, especially the use of window ledges; and
- (5) Flat roofs with parapet walls.



The subsequent sections describe individual design criteria that implement the architectural style for the downtown.

- d. **Facades, Windows, and Doors.** Entries and facades define a building; they should create a statement and serve to unify its design. The entry and front façade function as the primary focal point of the structure, and they should create visual interest, enhancing the public realm and the pedestrian experience. Recessed entries are typical of commercial structures for the architectural styles established for the downtown. The following identify desirable entryway, façade, and window features.

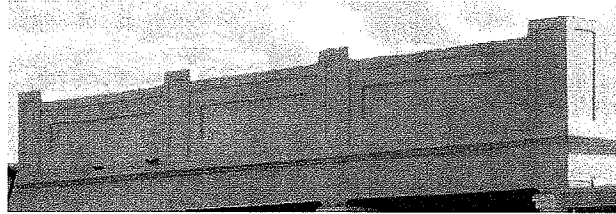
- (1) Facades that front on public streets should have a variety of architectural features, including arcades, canopies, display windows, entries, or awnings, unless the structural integrity of the building is at stake.
- (2) Design building entrances as prominent and easily identifiable and create a transition between the exterior and interior. Main building entries should be accented with strong architectural definition to pedestrians. Secondary entrances should have minor detailing that adds



- architectural distinction to that portion of the façade. Any building with more than 50 feet of street frontage should have at least one primary entry. Entryways should be accentuated from the overall building façade through the use of features such as crowning and sashes around doors, recessed entries, and awnings.
- (3) Building entrances should be designed to protect patrons and employees from the elements. The use of awnings and covered walkways is highly encouraged.
 - (4) Elements of architecture including window and door placement shall be designed in such a way as to add variety and interest to the project.
 - (5) The physical design of buildings facades should vary at least every 50 linear feet (quarter block). This can be achieved through such techniques as listed below. In no case shall any façade consist of a blank wall.
 - (a) Architectural division into multiple buildings,
 - (b) Break or articulation of the façade,
 - (c) Significant change in facade design,
 - (d) Placement of window and door openings, or
 - (e) Position of awnings and canopies.
 - (6) Each building façade should include a repeated pattern of design and at least three of the following features.
 - (a) Roof-top or mid-belt cornice moldings;
 - (b) Dentil;
 - (c) Parapet;
 - (d) Window or door crowning;
 - (e) Decorative brackets; and/or
 - (f) Trim.
 - (7) Architectural features, including crownings, sashes, recesses, or other forms of ornamentation shall be included over doors or windows. These architectural features can be varied in form but shall be consistent with the architectural style of the structure. Generally, windows and doors should be recessed between six and 12 inches from the building face. In lieu of this, trim around windows and doors and window ledges should be provided.
 - (8) The design of the project shall be expressed on all exterior elevations of the building visible from a public right-of-way, alley, paseo, or parking area.
 - (9) If maintaining a horizontal rhythm or alignment as a result of infill construction is not feasible, the use of canopies, awnings, or other horizontal devices should be included to maintain a (shared) horizontal rhythm.
 - (10) Mullions, "true divided light" windows or sectional windows are recommended on residential buildings where a divided window design is desired; "snap-in" grilles or mullions shall not be used. Mullions are vertical bars that separate window panes, set in a series.
 - (11) Windows shall not be blocked from inside a building due to retail display racks, plywood sheets, posters, or any other goods or storage.
 - (12) The use of security grills at windows and doors is highly discouraged. If security grilles are necessary, they shall be placed inside the building, behind the window display area, or otherwise hidden from public view.

e. Roofs and Upper Story Details.

- (1) Roofs should be given design considerations and treatment equal to that of the rest of the building exteriors.
- (2) Roofline elements should be developed along all public-facing elevations.
- (3) Articulate side and rear parapet walls by using height variations, relief elements, and thoughtfully designed scuppers (openings for draining water), downspouts, and expansion joints.
- (4) Cornice lines of new buildings (a horizontal rhythm element) should transition with buildings on adjacent properties to avoid clashes in building height.
- (5) The visible portion of sloped roofs should be sheathed with a roofing material complementary to the architectural style of the building and other surrounding buildings.
- (6) Avoid exaggerated roof slopes.
- (7) Access to roofs should be restricted to interior access only.
- (8) Generally, flat roofs are the appropriate roof treatment in the downtown; however other roof materials, such as shake, shingle, slate, metal seamed, or green roofing may be considered as part of Design Review.



f. Walls and Fences.

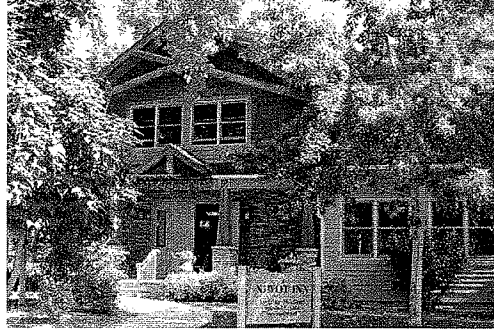
- (1) The use of chain link, fabric, or concrete block fencing is prohibited, except that concrete block walls may be used to enclose trash containers.
- (2) Fencing shall not obscure the front elevation of the primary structure on the property. Therefore, front yard privacy fences, particularly on residential property, should not be allowed. Structural members of a fence should be turned in to face the property.
- (3) The finished side of the fence should be presented to the street. On corner lots, the guidelines apply to the front yard and street side yard of the property.



g. Building Materials and Colors.

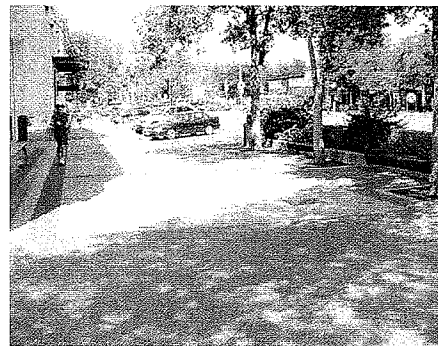
- (1) Projects should be designed using a limited assortment of materials, textures, and colors. Too many materials or textures lead to fragmented design.
- (2) Design projects with durable, low-maintenance, and timeless building materials of the same or higher quality as surrounding developments.
- (3) Architectural details should be integrated into the building structure and design.

- (a) The use of brick or local stone in building facades is strongly encouraged.
- (b) The use of tile on building walls is discouraged, unless it is used as an accent material. For instance, tile may be used as an accent material at the base of or as a thin trim around windows.
- (4) Metal seam, slate, wood shake, or a similar grade of roofing material shall be used on all visible pitched roofs.
- (5) Factory-built, prefabricated, pre-manufactured buildings, portable, and similar structures, while generally discouraged, may be allowed by the Board of Trustees for non-residential uses and shall be designed in accordance with these standards along with any additional reasonable conditions set by the Board of Trustees.
- (6) All building materials shall be properly installed.
- (7) Horizontal material changes should not occur at external corners, but may occur at interior corners, or at other logical terminations.
- (8) Reflective materials should not be used to clad a building; however, if reflective materials must be used to protect the integrity of the architectural design, then the material shall not be a nuisance to the occupants of the existing surrounding structures, or a safety hazard to any type of traffic.
- (9) All abandoned materials including pipes, conduits, wires, and signs shall be removed and sign anchors shall be patched to match adjacent surfaces. Operational pipes, conduits, etc, must be hidden.
- (10) Mixed-use commercial developments that contain residential units on the upper levels shall utilize materials with known vibration and sound-reduction qualities in order to minimize noise impacts.
- (11) Façade cladding colors should be consistent with a small, historic, turn-of-the-century Colorado town including, but not limited to, natural prairie colors and earth tones: shades of yellow, brown, dark red, and deep green. Additionally, shades of white are acceptable.



h. **Hardscape Materials.**

- (1) Hardscape materials used in pedestrian-oriented spaces such as plazas, paths and sidewalks shall be attractive, durable, slip-resistant, of high quality, and compatible in color and pattern with a project's design. Surfaces in pedestrian circulation areas shall be constructed from materials that provide a hard, stable surface and that permit maneuverability for people of all abilities.



- (2) Pedestrian pathways crossing an on-site vehicle drive aisle, loading area, or parking area, shall be made identifiable by the use of an alternative hardscape material such as pavers, patterned, stamped, or colored concrete.
- i. **Franchise/Corporate.**
 - (1) The scale, design, and materials of franchise/corporate architecture should be consistent with adjacent buildings.
 - (2) The Town recognizes the unique development constraints for corporate retailers to accommodate the sales volume and demand of its users. The Town encourages creative design solutions for franchise retail development to minimize the "one size fits all" look of corporate architecture.
- j. **Security.**
 - (1) Create a secure development for both the site and its occupants by minimizing opportunities for crime and undesirable activities through natural surveillance, access control, and activities.
 - (2) Locate buildings and windows to maximize visibility of entryways, pathways, and parking lots.
 - (3) Adequate security and safety lighting for pedestrians from parking spaces to all building entries and exits shall be provided.
 - (4) Street addresses for commercial, public, or multi-use residential buildings shall be easily visible on the front of the building both during the daytime, and at night.
- 4. **Landscaping.** Landscaping in downtown Frederick should be pedestrian-oriented and reflect and enhance the area's small town charm. These provisions emphasize the use of potted plants, trees, landscaping along urban streetscapes, and within urban parking lots. Landscaping shall be provided on-site consistent with the standards set forth below.
 - a. **Landscaping Standards.**
 - (1) **Street Trees and Other Landscaping.** Street trees shall be provided every 30 to 50 feet on center within the required landscape area and along public streets. Additional landscaping, such as accent plants, shall also be provided within dedicated landscape areas. Plant selection shall be from the suggested landscaping list in Table 15.10-1 (Suggested Planting List) and as approved through Design Review.

Table 15.10-1: Suggested Planting List

| Plant Type | Species |
|-----------------------------------|---|
| Trees | |
| Street Trees | Wasatch Maple Chokecherry Hoptree, Wafer Ash Cherry Tatarian Maple |
| Shade Trees | Bur Oak Western Hackberry Western Catapal Kentucky Coffeetree American Elm American Linden Red Maple Sugar Maple |
| Trees for Walkways and Courtyards | Japanese Lilac Norway Maple Pear Prunus |
| Trees for Parking Areas | Hedge Maple Amur Maple Hornbeam Thornless Honeylocust Littleleaf Linden |
| Accent Trees | One-Seed Juniper Bristlecone Pine Crabapple Redbud Serviceberry |
| Shrubs | |
| Small Shrubs (3') | Silver Sagebrush Apache Plume Silvery Leadplant Dwarf Leadplant Fernbush Cliff Fendlerbush Wax Currant Waxflower, Jamesia Twinberry Honeysuckle Shrubby Cinquefoil Littleleaf Mockorange |
| Medium Shrubs (6') | Skunkbrush, Three-leaf Sumac Saskatoon Serviceberry Utah Serviceberry New Mexico Privet Rock-spirea Squaw Apple Sand Cherry Dwarf Sand Cherry Antelope Bitterbrush Smith Buckthorn Dwarf Fragrant Sumac Rocky Mountain Sumac Golden Currant Common Chokecherry |

| | |
|--|--|
| | Wood's Rose Boulder Raspberry Red-Berried Elder |
| Large Shrubs (12') | Hoptree, Wafer Ash Silver Buffaloberry Wasatch Maple Gambel's Oak, Scrub Oak Wavyleaf Oak, Scrub Oak |
| Ground Covers, Grasses, Wildflowers | |
| Ground Covers | Creeping Holly-Grape Pussytoes Sedum Thyme |
| Ornamental Grasses | Switchgrass Little Bluestem Blue Wildrye Blue Fescue Blue Avena Grass |

(2) **Standard Design Concepts.**

- (a) Use landscaping to complement the architecture, to minimize the impact of incompatible land uses, and to establish a transition between adjacent developments. Plant materials can absorb sound, filter air, curtail erosion, provide shade, and maintain privacy.
- (b) Provide landscaping to break up blank walls, shade pedestrians, accent entries, and soften the connection of paving for vehicles to buildings.
- (c) Landscaped areas should generally utilize a three-tiered hierarchy of plants: grasses and groundcovers, shrubs, and trees. All areas in downtown that are not covered by structures, walkways, driveways, and parking spaces should be landscaped in this manner.
- (d) New development should look established as quickly as possible. Utilizing mature trees and plants in landscaping is encouraged to achieve this.
- (e) Preservation and incorporation of existing mature trees and other forms of vegetation is encouraged for new development. When removal is necessary, all natural vegetation should be salvaged and replaced where possible.
- (f) The use of drought-tolerant low-maintenance landscaping is strongly encouraged. Standard grass strips are strongly discouraged.
- (g) Water conservation should be an important factor in plant selection. Plants that require low amounts of water are encouraged.
- (h) Landscaped areas should be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed planters, or the use of curbs.

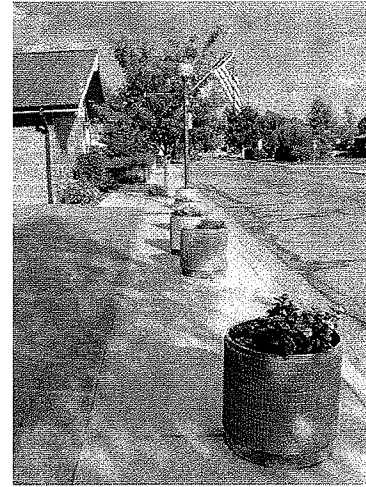
- (i) Parking facilities shall attain a minimum of 40 percent tree canopy coverage within 15 years of completion of construction to provide shade and minimize visual and environmental impacts. As an alternative to landscaping, shade structures may be used, provided there is landscaping at their base.



- (j) When streets and other public areas are being redesigned and improved (or otherwise completed as part of a development project), include at-grade landscape areas.
 - (k) In surface parking lots, trees should be installed at a ratio of one tree per four parking stalls for the perimeter of the parking lot, and one tree per six spaces for the interior of the parking lot.
 - (l) Consider placement of trees and shrubs to avoid conflict with vehicular overhangs, traffic and visibility patterns, and onsite structures.
 - (m) Owners of unoccupied lots that contain structures shall maintain the existing landscaping on a regular basis so that the lot(s) should not give an overgrown appearance.
 - (n) Landscape should be oriented in accordance with the demands of the species for sunlight and its susceptibility to the prevailing wind.
- (3) **Tree Grates/Guards.**
- (a) Tree grates should be utilized along all pedestrian pathways, including sidewalks to provide a continuous walking surface while providing adequate space for the tree to grow.
 - (b) Install structural soil systems to direct new root growth downward below hardscape areas. This helps to postpone root damage caused to the surrounding hardscape and structures. By providing deep watering and air to root systems as appropriate when trees are planted within five feet of any permanent structure/paving/curb, additional service life may be achieved. Structural soil systems are preferred over root barriers as they are often more effective.
 - (c) A minimum of six feet of structural soil shall be provided for trees. The area of enhanced root zone environment shall be enlarged beyond this minimum according to the species size planted. The structural soil can be provided under tree grates and pavement.
 - (d) Trees and landscaping installed in parking lots should be protected from vehicle damage by a minimum six-inch tall concrete curb surrounding the planter area. Planter barriers to protect landscaping should also be designed with intermittent curb cuts to allow parking lot runoff to drain into landscape areas.

(4) **Pots and Planters.**

- (a) Due to the built-out nature of much of downtown, the use of alternative, creative landscaping measures is highly encouraged. This can be achieved through boxed planters and pots.
- (b) Boxed and container plants in decorative planters of ceramic, cast stone, terra cotta, or other durable materials that compliment architectural styles and materials should be used to enhance public areas.
- (c) Pots and planters should have color tones that compliment the adjacent structures and the historic character of downtown.
- (d) Large planters may also be incorporated into seating areas. Such planters should be open to the earth below and be provided with a permanent irrigation system.



(5) **Water Quality and Urban Runoff.** The use of bioswales and landscaped water quality basins represent the preferred approach to urban runoff and stormwater quality control in the downtown. Bioswales are landscaping elements that are used to collect and purify water before it saturates the ground, and are filled with vegetation or other materials conducive to draining. Such features add aesthetic character, utilize natural materials, and serve as a functional element that allows for stormwater management.

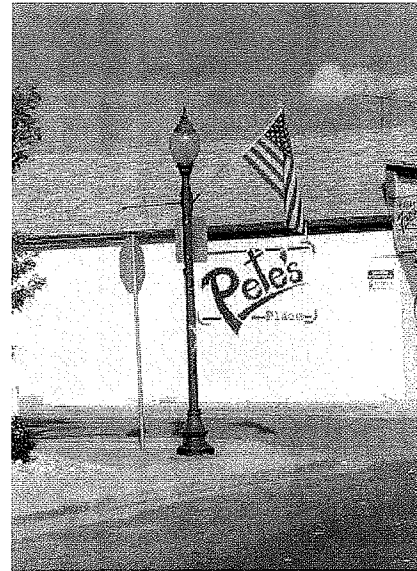
- (a) On lots that permit it, bioswales and similar natural landscaped runoff control facilities should be used to enhance appearance of stormwater management methods and allow for groundwater recharge.
- (b) On large enough lots that are not paved or developed over, bioswales should be used to collect surface runoff before it crosses pavement areas and to reduce ponding and damage to walkways. Bioswales should be graded to direct water away from paved areas into detention basins.
- (c) Bioswales should utilize a slope that is steep enough to prevent ponding and shallow enough to slow water down. Soils must not readily drain water; the goal is to get cleaner water to flow downstream. Recommended slopes of one to four percent should be used. Flow should be sufficiently low enough to provide adequate residence time within the channel. Flow depth should not be taller than the vegetation (a maximum depth of four inches in recommended). Final design of any bioswales shall be subject to approval of the Town Engineer.

5. **Lighting.** In downtown Frederick lighting fixtures within developments should be attractively designed to complement the architecture of the project and surrounding development, and should improve the visual identification and safety of residences and

businesses. Additionally, consideration should be given to the effects of light pollution on the environment, as well as energy conservation technologies.

a. General Design Standards.

- (1) Lighting shall provide security and visual interest.
- (2) All exterior doors, aisles, passageways and recesses shall be equipped with a lighting device providing a minimum maintained one foot-candle of light at ground level during hours of darkness. Vandal resistant covers should protect lighting devices.
- (3) Decorative accent lighting and fixtures above the minimum one foot-candle illumination levels of surrounding parking lots should be provided at vehicle driveways, entry throats, pedestrian paths, plaza areas, and other high activity areas.
- (4) Exterior lighting shall be sited and installed in a manner to minimize glare and light spillage beyond property lines. Outdoor light fixtures shall be the lowest wattage necessary to accomplish adequate lighting. Lighting shall be downlit, shielded, and directed away from areas not intended to be lit and from the night sky. All light fixtures shall be installed and shielded in such a manner that no visible light is emitted from the fixture at angles above the horizontal plane.
- (5) Lighting fixtures should be attractively designed to complement the architecture of the project.
- (6) Lighting should improve visual identification of residences and businesses and create an inviting atmosphere for passersby.
- (7) Wall mounted lights should be used to the greatest extent possible to minimize the total number of freestanding light standards.
- (8) Parking lot lighting fixtures should not exceed 25 feet in height. When within 50 feet of residentially zoned properties, fixtures should not exceed 20 feet.
- (9) Light standards within parking lots should be designed with concrete raised bases to protect them from damage by vehicles.
- (10) Provide street lighting that is scaled for the pedestrian while still meeting vehicular needs. On local streets and within project sites, fixtures should be primarily oriented towards pedestrian's needs. On major streets, light fixtures serve to both illuminate pedestrian areas and roadways. Consider the location and intended audience when choosing a light fixture for a project.
- (11) Lighting for parking lots should be evenly distributed and provide pedestrians and drivers with adequate visibility and safety level at night.
- (12) The light source used in outdoor lighting should provide a white light for better color representation and to create a more pedestrian friendly-environment.
- (13) Low pressure sodium (yellow light) lamps are prohibited.

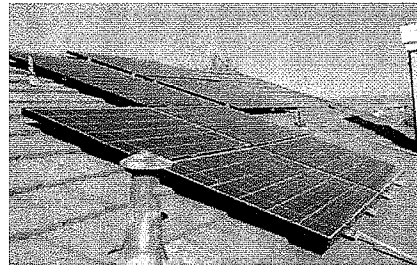


- (14) Lighting should be consistent with the historic small town character of Frederick.

6. **Sustainability.** The purpose of this section is to enhance the public welfare, and to encourage commercial, residential, and civic development to incorporate green building measures into the design, construction, and maintenance of buildings. Sustainable design elements should respect and compliment the downtown's historic character, and advance the creation of an environmentally and economically sustainable community.


a. **General Considerations.**

- (1) Building windows above the second floor, and facing southern and westerly directions, should be treated or otherwise designed to increase energy efficiency for the building while still maintaining the architectural integrity of the building and quality design of the site.
- (2) The Town encourages the use of solar arrays or other types of solar-based energy generation into all new roofing structures. Consider the pitch of roofs and orientation of the building when designing the project so as to maximize solar energy generation.
- (3) Consider the use of green roofs or other innovative methods of reducing impervious areas and heat islands on project sites.
- (4) Consider the use of on-site cisterns for rain water collection, and the use of grey-water recycling systems.
- (5) Consider using LEED, LEEP, or similar standards and thresholds to improve overall site and building quality in terms of energy efficiency and renewable resources.



15.11 Special Use Regulations

1. **Purpose and Intent.** The purpose of the following Special Use Regulations is to address concerns and provide standards for the following types of development and issues specific to downtown Frederick. These standards should ensure consistency with the vision and goals defined in this zoning code, by providing guidance to planners, developers, and residents on these unique topics.
2. **Live/Work.** Live/work units are built spaces that function predominantly as work spaces and secondarily as residences. Live/work units are permitted in buildings through the site plan process when they demonstrate compliance with the following standards:
- a. The unit must contain a cooking space and bathroom in conformance with applicable building standards.
- b. Adequate and clearly defined working space must constitute no less than fifty percent of the gross floor area of the live/work unit. Said working space shall be reserved for and regularly used by one or more persons residing there.
- c. At least one residence in each live/work unit shall maintain at all times a valid Town business license for a business on the premises.

- d. Persons who do not reside in the live/work unit may be employed in a live/work unit when the required parking is provided.
 - e. Customer and client visits are allowed when the required parking is provided.
 - f. No portion of a live/work unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.
3. **Public Art.** For the purpose of this section, "public art" in downtown Frederick is defined as permanent or temporary works of art in the public realm, whether part of a building or free-standing.
- a. Public art shall be incorporated into public plazas, parks, and municipal buildings. Additionally, the incorporation of public art into private development projects is strongly encouraged.
 - b. Possible types of public art include but are not limited to the following options:
 - (1) Building features and enhancements such as bike racks, gates, benches, water features, or shade screens, which are unique and/or produced in limited editions by a professional artist.
 - (2) Landscape art enhancements such as walkways, bridges, or art features within a garden.
 - (3) Murals or mosaics covering walls, floors, and walkways. Murals may be painted or constructed with a variety of materials, including the use of imbedded and nontraditional materials.
 - (4) Sculptures, which can be freestanding, wall-supported or suspended, kinetic, electronic, and made of durable materials suitable for the site.
 - (5) Fiberwork, neon, or glass artworks, photographs, prints, and any combination of media including sound, film, and video systems, or other interdisciplinary artwork applicable to the site.
 - (6) Community arts projects resulting in tangible artwork, such as community murals, sculptures, or kiosks.
- 
4. **Storefront Vacancy.** For the purpose of this section, a "storefront vacancy" in downtown Frederick is defined as a vacant commercial ground floor (street level) space in any otherwise occupied or unoccupied building.
- a. Vacant storefronts shall be properly locked and secured to prevent unauthorized trespassing during the period of vacancy.
 - b. The exterior façade of vacant storefronts shall be maintained by the property owner at the same level of quality as surrounding occupied storefronts and buildings.

- c. Property owners of vacant storefronts shall use creative temporary alternative uses of storefront window areas such as using them as a display area for community info, public art by local artists, and merchandise from other stores.
- d. Property owners of vacant storefronts should consult with the Town and Chamber of Commerce regarding possible available tenants.
- e. Vacant storefronts shall not be boarded up, or otherwise appear derelict or abandoned.
- f. An adequate level of exterior security lighting shall be regularly maintained regardless of storefront occupancy status.